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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/340,764	06/28/1999	KAORU HAYASHI	450100-4942	4324
20999	7590	08/20/2004	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			GENCO, BRIAN C	
			ART UNIT	PAPER NUMBER
			2615	16

DATE MAILED: 08/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/340,764

Applicant(s)

HAYASHI, KAORU

Examiner

Brian C Genco

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 6-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Art Unit: 2615

Applicant's amendment filed April 30, 2004 has been fully considered by the Examiner. Examination of the instant invention has been changed to Examiner Brian Genco wherein upon further consideration new grounds of rejection are presented bellow.

Claim Objections

Claim 10 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Examiner notes that claim 10 is dependant on claim 6 which already recites that the image pickup apparatus is mounted on a top edge portion of said display panel section, i.e. above the display unit.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 7 and 10 recite the limitation "display unit" in lines 5-6 and line 3 respectively.

There is insufficient antecedent basis for this limitation in the claim. Examiner notes that applicant should change the phrase "display unit" to "display panel section".

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over (USPN 6,118,485 to Hinoue et al.) in view of (USPN 6,141,052 to Fukumitsu et al.).

In regards to claim 6 Hinoue discloses an information processing apparatus having an image pickup apparatus incorporated therein (e.g., element 36 of Figs. 5-9),

said information processing apparatus comprising a personal computer including a body portion and a display panel section (e.g., Figs. 5-9; column 25, lines 10-19),

an image pickup apparatus mounted on a top edge portion of said display panel section (e.g., Figs. 5-9)

said image pickup apparatus comprising an image pickup means for picking up an image of an object (e.g., element 22 of Fig. 4),

holding means for holding thereon a lens for forming an image on said image pickup means (e.g., Hinoue discloses a lens element 21 of Fig. 4 wherein the claimed holding means is inherent in the image input unit 23 of Fig. 4),

said holding means having a serrated circumferential portion thereon (e.g., Hinoue discloses that manual focusing can be accomplished by turning outer barrel 21b, wherein element 23a must inherently have a serrated circumferential portion, or gear, in order to translate the rotational movement of element 21b into a lateral movement of a focus lens; Fig. 9; column 10, lines 23-25),

moving means for fitting with said serrated circumferential portion of said holding means to move said holding means along a direction of an optical axis of said lens when said moving means is turned (e.g., the moving means is the outer barrel 21 b),

accommodation means for accommodating said holding means and said moving means there (e.g., element 23a of Figs. 5-9),

said moving means has at least a portion thereof exposed in order to permit a rotating operation when said image pickup apparatus faces one way and when said image pickup apparatus is turned to face an opposite direction (e.g., Figs. 5-9).

Hinoue discloses that the information processing apparatus can be a personal computer (column 25, lines 10-18), however, does not explicitly disclose that personal computer includes a body portion and a display panel section for pivotal opening and closing movement on the body section, such as in a laptop personal computer.

Fukushima discloses that it is advantageous to mount a camera on a top edge portion of said display panel section of a laptop personal computer so as to provide a portable personal computer which has high portability and operability, and can ensure an image pickup range (e.g., column 1, lines 40-56; Fig. 2). Therefore it would have been obvious to one skilled in the art at the time of the invention to have incorporated Hinoue's camera on a top edge portion of a display panel of a laptop personal computer so as to provide a portable personal computer which has high portability and operability, and can ensure an image pickup range.

In regards to claim 7 see Figs. 6-9 of Hinoue.

In regards to claim 8 see Figs. 6-9 of Hinoue.

In regards to claim 9 see column 9, lines 23-28 of Hinoue.

In regards to claim 10 note that both Hinoue and Fukushima disclose placing the camera above the display.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian C. Genco who can be reached by phone at 703-305-7881 or by fax at 703-746-8325. The examiner can normally be reached on Monday thru Friday 8:30am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is 703-308-4357.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brian C Genco
Examiner
Art Unit 2615

August 13, 2004


ANDREW CHRISTENSEN
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